

JS 44C/SDNY
REV. 12/04/24

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

Engelmayer
Willis

PLAINTIFFS	DEFENDANTS
Salvatore LaMonica, as Chapter 7 Trustee	Patriarch Partners Agency Services, LLC
ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)	ATTORNEYS (IF KNOWN)
Amini LLC Attn.: Jeffrey Chubak 131 West 35th St New York, NY 10001 Tel: (212) 497-8247	Weil, Gotshal & Manges LLP Attn.: Ronit Berkovich 757 Fifth Avenue New York, NY 10153 Tel: (212) 310-8000
LaMonica, Herbst & Maniscalco, LLP Attn.: Gary Herbst; Jacquelyn S. Loftin 3305 Jerusalem Avenue Wantagh, NY 11793 Tel: (516) 826-6500	Weil, Gotshal & Manges LLP Attn.: Mark A. Perry; Christopher Conrad 2001 M St NW #600 Washington, D.C. 20036 Tel: (202) 682-7000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)
28 USC §158 appeal from February 7, 2025 Order and Judgment [ECF No. 191]

Has this action, case or proceeding, or one essentially the same been previously filed in SDNY at any time? No? ☐ Yes? ☒ Judge Previously Assigned Judge Lewis A. Kaplan

If yes, was this case Vol. ☒ Invol. ☐ Dismissed. No ☒ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY) NATURE OF SUIT

TORTS			ACTIONS UNDER STATUTES		
CONTRACT	PERSONAL INJURY	PERSONAL PROPERTY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 625 DRUG RELATED SEIZURE OF PROP-ERTY 21 USC 881	<input checked="" type="checkbox"/> 422 APPEAL 28 USC 158	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 423 WITHDRAWAL 28 USC 157	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	PROPERTY RIGHTS		<input type="checkbox"/> 400 STATE REAPPORTIONMENT
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 385 PROPERTY DAMAGE PRODUCT LIABILITY	<input type="checkbox"/> 820 COPYRIGHTS		<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 340 MARINE		<input type="checkbox"/> 830 PATENT		<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY		<input type="checkbox"/> 840 TRADEMARK		<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> 152 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL. VETERANS)	<input type="checkbox"/> 350 MOTOR VEHICLE		<input type="checkbox"/> 880 DEFEND TRADE SECRETS ACT		<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY		LABOR	SOCIAL SECURITY	<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 360 OTHER PERSONAL INJURY		<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 861 MIA (1395ff)	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 190 OTHER CONTRACT	<input type="checkbox"/> 362 PERSONAL INJURY MED. MALPRACTICE		<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY PRODUCT LIABILITY		<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 SECURITIES/ COM-MODITIES/ EXCHANGE
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY		<input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA)	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS
	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY		<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 AGRICULTURE ACTS
			<input type="checkbox"/> 791 EMPL. RET. INC. SECURITY ACT	FEDERAL TAX SUITS	<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS
			IMMIGRATION	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT
			<input type="checkbox"/> 462 NATURALIZATION APPLICATION	<input type="checkbox"/> 871 IRS-THIRD PARTY 26 USC 7609	<input type="checkbox"/> 896 ARBITRATION
			<input type="checkbox"/> 465 OTHER IMMIGRATION ACTIONS		<input type="checkbox"/> 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
					<input type="checkbox"/> 950 CONSTITUTION-ALITY OF STATE STATUTES
ACTIONS UNDER STATUTES					
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS (Non-Prisoner)	<input type="checkbox"/> 463 ALIEN DETAINEE			
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE 20 USC 2255			
<input type="checkbox"/> 230 RENT LEASE & EJECTMENT	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 530 HABEAS CORPUS			
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 443 HOUSING ACCOMMODATIONS	<input type="checkbox"/> 535 DEATH PENALTY			
<input type="checkbox"/> 245 TORT PRODUCT LIABILITY	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES – EMPLOYMENT	<input type="checkbox"/> 540 MANDAMUS AND OTHER			
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES – OTHER	PRISONER CIVIL RIGHTS			
	<input type="checkbox"/> 448 EDUCATION	<input type="checkbox"/> 550 CIVIL RIGHTS			
		<input type="checkbox"/> 555 PRISON CONDITION			
		<input type="checkbox"/> 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			

Check if demanded in complaint

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13? IF SO, STATE

Check YES only if demanded in complaint

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32)..

JURY DEMAND: ☐ YES ☒ NO

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from [Specify District] | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| | <input type="checkbox"/> a. all parties represented | | | | | |
| | <input type="checkbox"/> b. At least one party is a pro se. | | | | | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION
(U.S. NOT A PARTY) ☐ 4 DIVERSITY

**IF DIVERISTY, INDICATE
CITIZENSHIP BELOW.**

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	<input type="checkbox"/> 1	<input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	<input type="checkbox"/> 3	<input type="checkbox"/> 3	INCORPORATED <u>and</u> PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	<input type="checkbox"/> 5	<input type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2	<input type="checkbox"/> 2	INCORPORATED <u>or</u> PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4	<input type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6	<input type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Plaintiff-Appellee Salvatore LaMonica, as Chapter 7 Trustee
LaMonica, Herbst & Maniscalco, LLP
3305 Jerusalem Avenue
Wantagh, New York 11793 (Nassau County)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Defendant-Appellant Patriarch Partners Agency Services, LLC
71 Broadway, Lobby 2B #249
New York, New York 10006 (New York County)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT AT THIS TIME, I HAVE BEEN UNABLE, WITHIN REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS.

COURTHOUSE ASSIGNMENT

I have reviewed Rules 18(a) and 20(a) of the Rules for the Division of Business Among District Judges, Southern District of New York, and I hereby certify that this case should be assigned to the courthouse indicated below pursuant thereto.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE /s/ Ronit Berkovich
SIGNATURE OF ATTORNEY OF RECORD

Receipt #

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO
☒ YES (DATE ADMITTED Mo. May Yr. 2005)

Attorney Bar Code # RB5797

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so designated.

Tammi M. Hellwig, Clerk of Court by Deputy Clerk, Dated

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)